

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

FINEMAN KREKSTEIN & HARRIS, P.C.

A Pennsylvania Professional Corporation

BY **RICHARD J. PERR, ESQUIRE**

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Attorneys for Defendant National Enterprise Systems, Inc.

RITA ADLER and ARIEL BAREL,
Plaintiffs

v.

NATIONAL ENTERPRISE SYSTEMS, INC. d/b/a:
NATIONAL ENTERPRISE SYSTEMS,
Defendant

CIVIL ACTION

NO.

NOTICE OF REMOVAL

Defendant NATIONAL ENTERPRISE SYSTEMS, INC. (hereinafter referred to as "NES"), by its undersigned counsel, hereby petitions this Court as follows, pursuant to 28 U.S.C. § 1441(b):

1. NES is a defendant in an action pending in the Superior Court of New Jersey, Passaic County, Law Division, Special Civil Part, Docket No. DC-013370-09 ("the State Court Action"). NES received a copy of the Complaint on or about July 29, 2009. A true and correct copy of the Complaint in the State Court Action is attached hereto as Exhibit "A".

2. Plaintiffs in the State Court Action are Rita Adler and Ariel Barel. See Exhibit "A".

3. Plaintiffs' State Court Action alleges violations of the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692, et seq.

4. The State Court Action involves a question of federal law. Pursuant to 28 U.S.C. § 1441(b), "Any civil action of which the district court shall have original jurisdiction founded on a claim or right arising under . . . the laws of the United States shall be removable."

5. Since this case arises out of an alleged violation of the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692, et seq., this Court may properly remove the State Court Action based on 28 U.S.C. § 1441(b).

6. This Notice has been filed with the Court within thirty (30) days after purported service of the Complaint on defendant NES.

WHEREFORE, defendant National Enterprise Systems, Inc., prays that the State Court Action be removed from the Superior Court of New Jersey, Passaic County, Law Division, Special Civil Part, Docket No. DC-013370-09, to this Court for proper and just determination.

FINEMAN KREKSTEIN & HARRIS, P.C.

By /s/Richard J. Perr
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Systems, Inc.

Dated: August 26, 2009

CERTIFICATE OF SERVICE

I, RICHARD J. PERR, ESQUIRE, hereby certify that on this date I served a true and correct copy of the foregoing Notice of Removal by first class mail, postage prepaid, on the following:

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/S/ Richard J. Perr

RICHARD J. PERR, ESQUIRE

Dated: August 26, 2009